

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

Court Name: \_\_\_\_\_

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_  
(if known)

**ACKNOWLEDGMENT OF FEDERAL GUN CONTROL ACT**

Under federal law if you are convicted of a misdemeanor crime involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition, pursuant to 18 U.S.C. 922 (g)(9).

1. I, \_\_\_\_\_, have ☐ been found guilty, or ☐ pled guilty to \_\_\_\_\_, a qualifying domestic violence misdemeanor as defined by 18 U.S.C. 921(a)(33).

2. I have in my possession or control the following firearms, \_\_\_\_\_, which I shall immediately surrender to the \_\_\_\_\_ Police Department/Law Enforcement Agency.

3. I understand that the Police Department/Law Enforcement Agency has the right to confiscate all firearms/ammunition in my possession immediately.

4. I understand that the Police Department/Law Enforcement Agency may search my home or vehicle for all firearms/ammunition in my possession with probable cause and verbal consent or a warrant.

5. I understand that I can appeal this conviction; however, all firearms/ammunition will remain in the possession of the Police Department/Law Enforcement Agency pending outcome.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Presiding Justice

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**ACKNOWLEDGEMENT OF FEDERAL GUN CONTROL ACT**

CHECKLIST FOR DISQUALIFICATION FROM POSSESSION OF FIREARMS BASED ON CONVICTION OF QUALIFYING DOMESTIC VIOLENCE MISDEMEANOR UNDER 18 U.S.C. 922 (g) (9).

☐ Class A or B Misdemeanor

☐ Charge includes as an element:

☐ the use or attempted use of physical force,

or

☐ the threatened use of a deadly weapon (18 U.S.C. 921 (a) (33) (A) (i)); and

☐ Case involves parties in an intimate relationship described as current or former spouse, a person with whom the victim shares a child in common, a person who is cohabitating or has cohabitated with the victim as a spouse, parent or guardian, or a person similarly situated to a spouse, parent or guardian of the victim. (18 U.S.C. 921 (a) (33) (A) (ii))

**INSTRUCTIONS TO JUDGES**

If all of the above boxes are checked, then the charge is a qualifying misdemeanor under federal law and you must:

1. Advise the defendant at arraignment that, in addition to the state penalties imposed upon conviction, the defendant may be prohibited by federal law from EVER possessing a firearm.
2. If the defendant is convicted, make a written finding on the complaint that this is a qualifying misdemeanor and have the defendant execute the attached Acknowledgement of Federal Gun Control Act;
3. Prior to sentencing, have the clerk search the system for closed or open cases involving this defendant; and
4. Prior to sentencing require the state to present a copy of the defendant's criminal record and make a written note on the complaint of your review (similar to DWI requirement).

**NOTE WELL**

1. Pursuant to RSA 173-B:9 III a person charged with knowingly violating a domestic violence protective order may only be charged with a Class A misdemeanor; and it may NOT be reduced to a Class B misdemeanor or violation.
2. Pursuant to RSA 625:9 you may NOT change an offense which involves an act of violence or threat of violence from a Class A to a Class B misdemeanor.